

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA                    )  
  )  
                  v.                            ) Criminal No. 05-26 Erie  
  )  
GEORGE L. EBERLE                            )  
ALESHA M. EBERLE                            )

**MOTION TO DISMISS INDICTMENT**  
**DUE TO SUPERSEDING INDICTMENT**

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Christian A. Trabold, Assistant United States Attorney for said district, and respectfully moves this Honorable Court for leave to dismiss the indictment in the above-captioned case which was returned on June 7, 2005, and in support of this motion, avers as follows:

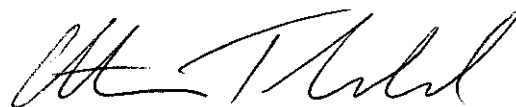
The four-count indictment returned by the grand jury in the above-captioned case charged the above-named defendants with conspiracy to commit offense against the United States, in violation of Title 18, United States Code, Section 371; sexual exploitation of a minor, in violation of Title 18, United States Code, Sections 2251(a) and 2; receipt of material depicting the sexual exploitation of a minor, in violation of Title 18, United States Code, Sections 2252(a)(2) and 2; and possession of material depicting the sexual exploitation of a minor, in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2.

The reason for dismissal of the indictment is:

A superseding indictment which now has been assigned Criminal No. 05-26 Erie was returned by the grand jury on June 13, 2006.



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